

**STATEMENT OF BASIS (AI No. 18298)**

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0090573 to discharge to waters of the State of Louisiana.

**THE APPLICANT IS:** ADM Grain Company  
Gemini Facility  
Post Office Box 97  
Ama, Louisiana 70031

**ISSUING OFFICE:** Louisiana Department of Environmental Quality (LDEQ)  
Office of Environmental Services  
Post Office Box 4313  
Baton Rouge, Louisiana 70821-4313

**PREPARED BY:** Michelle Bickham

**DATE PREPARED:** July 18, 2008

**1. PERMIT STATUS****A. Reason For Permit Action:**

Permit revocation and reissuance of a current Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term. The activities associated with this facility are being moved from River Miles 116 and 121 to River Mile 110 and 152.

**B. NPDES permit –** NPDES permit effective date: N/A  
NPDES permit expiration date: N/A  
EPA has not retained enforcement authority.

**C. LPDES permits –** LA0090573  
LPDES permit effective date: August 1, 2005  
LPDES permit expiration date: July 31, 2010

**D. Date Application Received:** April 28, 2008

**2. FACILITY INFORMATION****A. FACILITY TYPE/ACTIVITY - mobile midstream dry bulk transfer facility**

ADM Grain Company, Gemini Facility is an existing mobile midstream dry bulk transfer facility. The facility operates on the Mississippi River between River Miles 110 and 152. Dry bulk material is transferred from barge to ship and ship to barge via a clamshell bucket and a steel hook. Stevedoring activities associated with these barges will result in the following types of discharges: external barge/rig washdown water and treated sanitary wastewater.

**B. FEE RATE**

1. Fee Rating Facility Type: minor
2. Complexity Type: I\*
3. Wastewater Type: III
4. SIC code: 4491

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\* In Appendix A - Section IV (Relation of 1987 to 1977 Industries) of the Standard Industrial Classification Manual, the SIC code 4491 is equivalent to a previous SIC code of 4463. As per LAC33:IX.1319 Table I, SIC code 4463 is assigned Complexity Type II. The Complexity Type has been BPJ'd from II to I to match other similar facilities.

C. LOCATION - operating between River Miles 110 and 152 on the Mississippi River, Jefferson, St. Charles, St. John the Baptist, St. James Parishes

### 3. OUTFALL INFORMATION

#### Outfall \*A

Discharge Type: external barge/rig washdown water when transferring commodities other than coal or coke

Treatment: none

Location: at the point of discharge from the barge prior to combining with other waters

Flow: intermittent

Discharge Route: directly to the Mississippi River

#### Outfall \*B

Discharge Type: treated sanitary wastewater

Treatment: sewage treatment plant with extended aeration

Location: at the point of discharge from the sewage treatment plant prior to combining with other waters

Flow: intermittent

Discharge Route: directly to the Mississippi River

\* The numbering convention for the barge is listed in Attachment 2 of the permit. For this permit, the different wastestreams are referred to as A or B and the barge will be designated as 01. (see Attachment 2).

### 4. RECEIVING WATERS

STREAM - directly to the Mississippi River

BASIN AND SEGMENT - Mississippi River Basin, Segment 070301

DESIGNATED USES -

- a. primary contact recreation
- b. secondary contact recreation
- c. propagation of fish and wildlife
- d. drinking water supply

### 5. TMDL STATUS

The discharges from ADM Grain Company are to the Mississippi River, Subsegment 070301 of the Mississippi River Basin. Subsegment 070301 is not listed on LDEQ's Final 2006 303(d) List as impaired, and to date no TMDL's have been established. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by any future TMDLs.

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## 6. PROPOSED EFFLUENT LIMITS

BASIS - See Rationale below.

Outfall 001 is being renamed to Outfall \*A, and Outfall 002 is being renamed to Outfall \*B to be consistent with current permitting practices. Stormwater runoff is being removed from Outfall 001 and will be covered under the BMP language in Part II.

## 7. COMPLIANCE HISTORY/COMMENTS

### 1. OEC –

There have been no recent inspections at the facility.

### 2. DMR Review/Excursions –

The permit was transferred to ADM Grain Company on October 2, 2006. Since this time, DMR's have been submitted in accordance with the existing permit. Only one pH sample was not taken in the monitoring period 7/07-12/07. No exceedances were found.

## 8. EXISTING EFFLUENT LIMITS

Outfall 001 – rig washwater and stormwater runoff

No effluent limitations were established for rig washwater and stormwater runoff. Best Management Practices (BMPs) for barge operations were included in Part II.

Outfall 002 – treated sanitary wastewater

Parameter	LPDES	
	Monthly Average	Weekly Average
Flow	Report 1/6 months Est.	Report 1/6 months Est.
BOD <sub>5</sub>	---	45 mg/L 1/6 months Grab
TSS	---	45 mg/L 1/6 months Grab
Fecal Coliform	---	400 col./100mL 1/6 months Grab
pH	6.0-9.0 s.u. 1/6 months	

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## **9. ENDANGERED SPECIES**

The receiving waterbody, Subsegment 070301 of the Mississippi River Basin, has been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for the Pallid Sturgeon, which is listed as an endangered species. LDEQ has not submitted this draft permit to the FWS for review in accordance with a letter dated October 24, 2007 from Boggs (FWS) to Brown (LDEQ). As set forth in the Memorandum of Understanding between the LDEQ and the FWS, and based on information provided by the FWS, LDEQ has determined that the issuance of the LPDES permit is not likely to have an adverse effect upon the Pallid Sturgeon. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

## **10. HISTORIC SITES**

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

## **11. TENTATIVE DETERMINATION**

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

## **12. PUBLIC NOTICES**

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

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### Rationale for ADM Grain Company

1. **Outfall \*A** – the intermittent discharge of external barge/rig washdown water when transferring commodities other than coal or coke

<u>Pollutant</u>	<u>Limitation</u> Mo. Avg: Daily Max (mg/l)	<u>Reference</u>
	No Limits	BPJ; existing permits for similar outfalls

**Treatment:** none

**Monitoring Frequency:** None (BPJ; existing permits for similar outfalls)

**Limits Justification:** BPJ; language has been included in Part II which addresses pollution prevention practices for the washdown activity; this is consistent with existing permits for similar outfalls.

2. **Outfall \*B** - the intermittent discharge of treated sanitary wastewater

<u>Pollutant</u>	<u>Limitation</u> Mo. Avg: Weekly Avg (mg/l)	<u>Reference</u>
Flow (gpd)	Report: Report	BPJ; Light Commercial General Permit
BOD <sub>5</sub>	---: 45	BPJ; Light Commercial General Permit
TSS	---: 45	BPJ; Light Commercial General Permit
Fecal Coliform		
Colonies/100ml	---:400 (Daily Max)	BPJ; Light Commercial General Permit
pH	6.0 : 9.0	BPJ; Light Commercial General Permit
standard units	(min): (max)	

**Treatment:** sewage treatment plant with extended aeration

**Monitoring Frequency:** once per 6 months for all parameters (BPJ; as per the Light Commercial General Permit, Schedule A, Treated Sanitary Wastewater less than 5000 GPD).

**Limits Justification:** BPJ; per the Light Commercial General Permit, Schedule A, Treated Sanitary Wastewater less than 5000 GPD and similar facilities.

\* The numbering convention for the barge is listed in Attachment 2 of the permit. For this permit, the different wastestreams are referred to as A or B and the barge will be designated as 01. (see Attachment 2).

#### NOTE

For outfalls containing concentration limits, the usage of concentration limits is based on BPJ for similar outfalls since the flow is variable and estimated.

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This facility is not subject to Effluent Limitations Guidelines for Transportation Equipment Cleaning, 40 CFR Part 442, because, in accordance with 40 CFR 442.1.a, "this part applies to discharges resulting from cleaning the interior of tanks used to transport chemical, petroleum or food grade cargos." This facility does not clean the interior of tanks. Only top deck washing of floating derrick crane barges is performed.

Storm Water Pollution Prevention Plan (SWP3) Requirement

As per LAC33:IX.2341.B.14.k, stormwater discharges from facilities classified as SIC Codes 4491 are considered to be associated with industrial activities and accordingly require SWP3 requirements. However, an SWP3 is not included in the permit because the facility is a water related operation only. Barge BMPs are comparable to the SWP3 requirements; therefore, the barge BMPs will be applied instead.